IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1962 OF 2007
IN
SUIT NO. 1351 OF 2007

Suresh Baldevdas Talreja .. Plaintiff.

V/s.

Shivkumar Baldevdas Talreja & Anr. .. Defendants.

Mr.Sanskar Marathe i/by M/s. Devan Dwarkadas and Partners for the Plaintiff.

Ms. R.C.Nichani for the Defendants.

CORAM : ANOOP V. MOHTA, J.

DATED : 14TH DECEMBER, 2007

P.C. :-

. The learned counsel appearing for the plaintiff, on instructions, makes a statement that the plaintiff is not pressing prayers (a) and (b).

2. Insofar as prayer clause (c) is concerned, there is a clear averments made in reply filed by the defendant No.1 in para -29 to the effect : "There is no question of my transferring or creating any third party rights in the flat which is occupied by me and my wife right from the inception".

3. The plaintiff and the defendants are in relations. The property in question, which is in dispute, is owned by the father. In view of this, at this stage of the proceedings, it is sufficient to record the statement made by the learned counsel appearing for defendant No.1 that defendants shall not create any third party rights or part with possession of the property, pending disposal of the suit. In view of this statement, the Notice of Motion is disposed of.

(ANOOP V. MOHTA, J)

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